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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/817,457	04/03/2004	Oswald Friedmann	0815 A US	1602
20676	7590	11/02/2005	EXAMINER	
ALFRED J MANGELS 4729 CORNELL ROAD CINCINNATI, OH 452412433			RODRIGUEZ, SAUL	
			ART UNIT	PAPER NUMBER
			3681	

DATE MAILED: 11/02/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/817,457	FRIEDMANN, OSWALD	
	Examiner	Art Unit	
	Saúl J. Rodriguez	3681	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 August 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 7 and 9 is/are allowed.
- 6) ☒ Claim(s) 1,3-6,10-15 and 17 is/are rejected.
- 7) ☒ Claim(s) 16 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

This communication is responsive to the amendment filed August 15, 2005.

Priority

Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

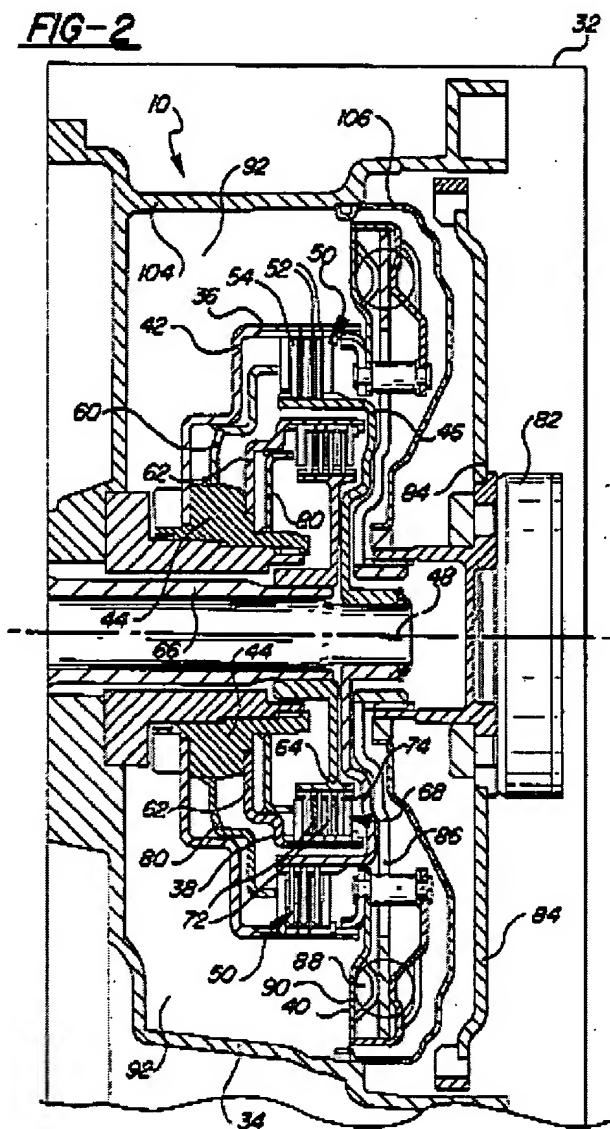
Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 3-6, 10-15 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Merkel et al. ('894) in view of Greenlee ('198).

Merkel et al. discloses a multiple clutch unit (Fig. 2) comprising first and second clutches (50), a plurality of shafts (44, 46, 64, 82, 84), a first shaft (44), a second shaft (46), piston cylinders (60, 80), coupling elements, a transmission input element (42), a torsional vibration damper (40), axially fixed cylinders (e.g., backing plates), and multiple disks clutches..

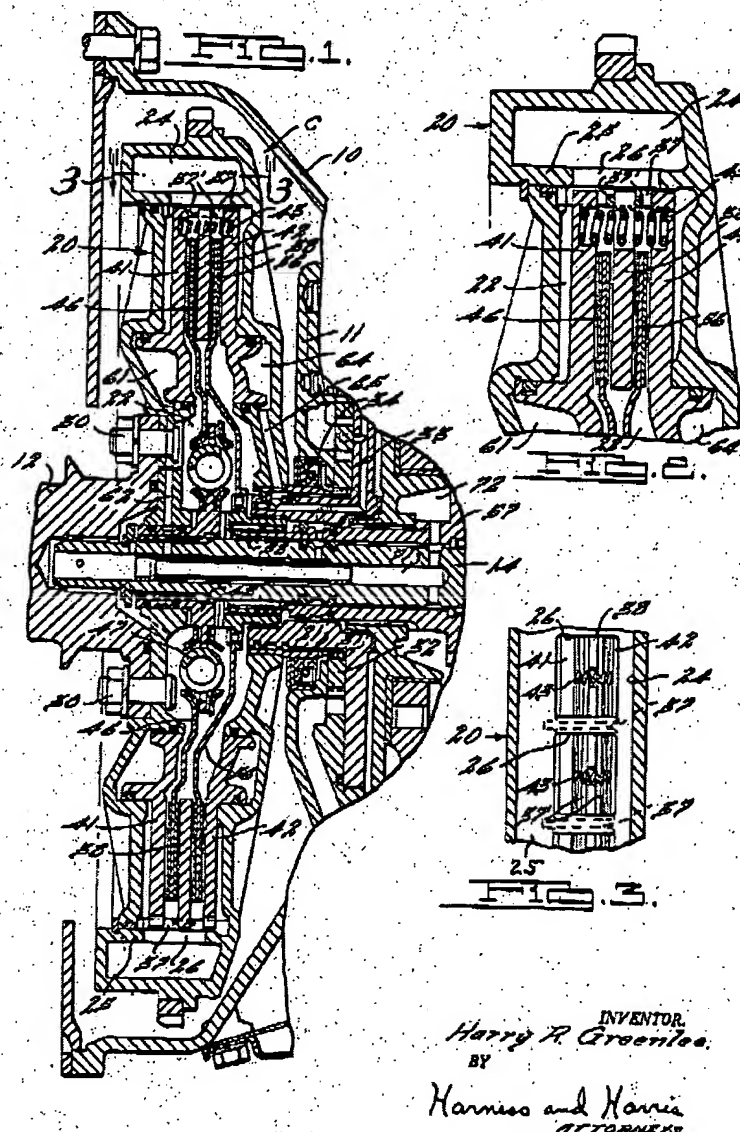


Concerning claim 1, Merkel does not show a throughbore feeding the working chamber. However, using throughbores through the shafts is conventional practice in the art. For example, Greenlee discloses a multiple clutch unit comprising a first and second clutch (46, 56) connected to concentric shafts (14, 57), first and second piston/cylinder units (41, 42) with cylinders having a cup-shaped inner cross section, first working chamber (22), a throughbore (71) feeding pressurized fluid, a coupling

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element (e.g., the radially intermediate seal structure or outer splines 37)

coupling/connecting the leftmost disk and the cylinder, a fluid communication between the chamber, axially fixed cylinder (38), an axially displaceable piston (42), a bearing device, a positive tooth connection (37). Then, it would have been obvious to feed the piston/cylinder in the device of Merkel in view of Greenlee by a throughbore to minimize the effects of centrifugal forces on the fluid.



Concerning claim 4, Merkel does not show a coupling element. As noted above, Greenlee discloses the claimed feature. Then it would have been obvious to a person of ordinary skill in the art at the time the invention was made to use a coupling element in the device of Merkel in view of Greenlee to reinforce the concentricity of the elements.

Concerning claim 10, Merkel does not show a bearing device. As noted above, Greenlee discloses the claimed feature. Then it would have been obvious to a person of ordinary skill in the art at the time the invention was made to use a bearing device on the assembly of Merkel in view of Greenlee to reduce the friction between the relatively rotatable elements.

Concerning claim 14, Merkel does not show the connection type between the cup shaped cylinder and the first shaft. As noted above, Greenlee discloses a conventional toothed connection. Then it would have been obvious to a person of ordinary skill in the art at the time the invention was made to use a toothed connection on the assembly of Merkel in view of Greenlee to positively fix the cup shaped cylinder and the first shaft.

Allowable Subject Matter

Claim 7 and 9 are allowed.

Claim 16 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

Applicant's arguments with respect to claims 1, 4 and 10 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Saúl J. Rodríguez whose telephone number is (571) 272-7097. The examiner can normally be reached on M-F 9:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles A. Marmor can be reached on (571) 272-7095. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


SJR


SAUL RODRIGUEZ
PRIMARY EXAMINER